

ALUCP Implementation: MCAS-Miramar and Brown, Gillespie, and Montgomery Summary of Implementation Actions (10.13.10)

Following is a brief description of the City's proposed implementation plan including code amendments, adoption of maps, zoning actions, and land use plan amendments:

- 1) Amendments to the Land Development Code (Chapter 11, Article 2; Chapter 12, Articles 6 and 7; Chapter 13, Articles 1 and 2; and Chapter 15, Article 1) to create the Airport Land Use Compatibility Overlay Zone (ALUCOZ) and facilitate compatibility reviews of proposed development in designated airport influence areas, including adoption of maps for noise, safety, airspace protection, overflight, and airport influence areas from the adopted ALUCP for each airport. [See matrix below for a summary of proposed code amendments.]

- 2) Zoning actions to apply the new overlay zone to all property located within a designated airport influence area for MCAS Miramar, Brown Field, Gillespie Field, and Montgomery Field; and to remove the Airport Environs Overlay Zone (AEOZ) from such property, (except in cases where the AEOZ is still applicable for San Diego International Airport).

- 3) Amendments to Land Use Plans including the Clairemont Mesa Community Plan, Kearny Mesa Community Plan, Mira Mesa Community Plan, Otay Mesa Community Plan, Rancho Penasquitos Community Plan, Scripps Miramar Ranch Community Plan, Serra Mesa Community Plan, Tierrasanta Community Plan, Torrey Hills Community Plan, Torrey Pines Community Plan, and University Community Plan to implement adopted ALUCP policies. (Final processing of the Otay Mesa Community Plan amendment would be completed together with the comprehensive Otay Mesa Community Plan update currently in process.)

Sections	Description of Proposed Code Amendments
112.0301 112.0302	<u>Public Notice</u> Incorporates new notice provisions to inform airport stakeholders of discretionary permits in process, and creates a new notification process for requests to overrule the Airport Land Use Commission.
126.0402 126.0404 126.0502 132.1502	<u>Required Reviews and Development Permits</u> Clarifies applicability of the overlay zone with respect to required review processes and permit types. Neighborhood Development Permits and Site Development Permits are the two types of discretionary permits that would be associated with the proposed overlay zone. In general, new development that would not increase the density or floor area ratio of an existing building, or that would otherwise comply with the compatibility criteria, would not require a special permit for the proposed overlay zone.
131.0220 131.0320 131.0420 131.0520	<u>Relationship of Base Zones/Planned Districts to Overlay Zone</u> Clarifies the connection between citywide base zones, planned district base zones, and the new overlay zone. A use permitted in accordance with the base zone (including a planned district base zone) may be further

**ALUCP Implementation: MCAS-Miramar and Brown, Gillespie, and Montgomery
Summary of Implementation Actions (10.13.10)**

131.0620 132.0102 132.0104 151.0103	limited or restricted to meet the purpose of the overlay zone.
132.0301 132.0302 132.0306 132.0309 132.0310	<u>Removal of MCAS Miramar, Brown Field & Montgomery Field from Airport Environs Overlay Zone</u> Clarifies that the existing Airport Environs Overlay Zone only applies to San Diego International Airport. All adopted ALUCP requirements applicable to MCAS Miramar, Brown Field, and Montgomery Field would be located in the proposed overlay zone.
132.1501 132.1502 Table 132-A Table 132-B 132.1505	<u>Purpose and Boundaries of Airport Influence Area (AIA)</u> Clarifies the purpose and applicability of the proposed Airport Land Use Compatibility Overlay Zone and identifies the boundaries of the airport influence areas. The adopted ALUCP airport influence area maps would be incorporated by reference and would be updated to reflect any future modifications.
132.1510 Table 132-C Table 132-D	<u>Noise Compatibility</u> Identifies compatible uses based on aircraft noise exposure. The adopted ALUCP noise contour maps would be incorporated by reference and would be updated to reflect any future modifications.
132.1515 Table 132-E Table 132-F Table 132-G	<u>Safety Compatibility</u> Identifies compatible uses in each safety zone and describes the method for calculation and measurement of density (dwelling units per acre) and intensity (people per acre) for the purpose of this overlay zone. The adopted ALUCP safety zone maps would be incorporated by reference and would be updated to reflect any future modifications.
132.1520 Table 132-J	<u>Airspace Protection Compatibility</u> Identifies the FAA notification area and Part 77 height limits for airspace protection. The adopted ALUCP airspace protection maps would be incorporated by reference and would be updated to reflect any future modifications to airspace protection surfaces.
132.1525 Table 132-K	<u>Aircraft Overflight Notification</u> Identifies the areas subject to aircraft overflight. Adopted ALUCP overflight maps would be incorporated by reference and would be updated to reflect any future modifications to aircraft overflight. Zoning actions to apply the ALUCOZ to real property shall constitute official recordation and property owner notification of aircraft overflight at a subject property.
132.1530	<u>Requirement for Avigation Easement</u>

**ALUCP Implementation: MCAS-Miramar and Brown, Gillespie, and Montgomery
Summary of Implementation Actions (10.13.10)**

	Identifies the circumstances where avigation easements would be required as a condition of approval.
127.0102 132.1535	<u>Previously Conforming</u> Identifies applicability to development that was legally established prior to adoption of an ALUCP (previously conforming development).
132.1540	<u>Infill Development Criteria</u> Identifies criteria for compatibility review of proposed infill development that would be consistent with the existing development pattern for surrounding area, but incompatible with ALUCP noise or safety criteria.
132.1545	<u>Real Estate Disclosure</u> Requires all residential real estate transactions in the overlay zone to disclose that property for sale is located within an airport influence area.
132.1550	<u>Airport Land Use Commission Review</u> Clarifies under what circumstances that new development would be required to obtain a consistency determination from the Airport Land Use Commission prior to approval.
132.1555	<u>Overrule Process</u> Identifies the overrule process for City Council consideration of requests to overrule a consistency determination made by the Airport Land Use Commission as provided for in state law.